



Ninety-Seventh Legislature - First Session - 2001
Committee Statement
LB 346

Hearing Date: January 24, 2001

Committee On: Health and Human Services

Introducers: (Robak)

Title: Provide continuing education requirements under the Occupational Therapy Practice Act

Roll Call Vote – Final Committee Action:

Advanced to General File

X Advanced to General File with Amendments

Indefinitely Postponed

Vote Results:

7 Yes Senator Jensen, Byars, Suttle, Price, Cunningham, Maxwell and Erdman

No

Present, not voting

Absent

Proponents:

Senator Jennie Robak

Dr. Amy Lamb

Kathleen Keller

Joanne Boyer

Dr. Marlene J. Aitken

Heidi Pospisil

Representing:

Introducer

NE Occupational Therapy Association

NE Occupational Therapy Association

NE Occupational Therapy Association

NE Occupational Therapy Association

Occupational Therapy Licensure Board

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes: The bill adds and amends definitions under the Occupational Therapy Practice Act and establishes a continuing education requirement for occupational therapists and occupational therapy assistants.

The bill adds new definitions to section 71-6103 and reorganizes new and existing definitions, including new definitions for continuing education and continuing education activity.

Section 71-6113 is amended to require completion, by August 1 of every even-numbered year, 20 hours of continuing education for occupational therapists and 15 hours of continuing education for occupational therapy assistants. Such continuing education must consist of

continuing education activities approved by the Board of Occupational Therapy Practice (board). The section is also amended to add completion of the continuing education requirement as a prerequisite for licensure renewal.

Current law, in section 71-6115, requires the Department of Health and Human Service Regulation and Licensure (department) to adopt and promulgate rules and regulations to administer the Occupational Therapy Practice Act. LB 346 requires the board to adopt and promulgate such rules and regulations, with the approval of the department. The section is further amended to require the adoption and promulgation of rules and regulations for approved continuing education activities and the maximum number of contact hours that can be earned in a specific continuing education activity. Continuing education activity is defined to include a program of occupational therapy education and training approved by the board, and allows such approval to be based on standards established by the board "in conjunction with a statewide task force of occupational therapists, health care consumers, and other health care professionals."

Explanation of amendments, if any: The committee amendment (AM 0044) requires every occupational therapist (OT) and occupational therapy assistant (OTA) to provide a list of continuing education activities they participated in or attended, the amount of credit they received for each activity, and the date, location, and name of the approved provider who sponsored the activity. Each OT or OTA is required to maintain records of their continuing education activities.

The amendment provides that the board must biennially select a random, representative sample of license renewal applications for audit of continuing education credits, and must require the OT or OTA to submit continuing education records in connection with such audit.

The amendment permits the department, upon recommendation of the board, to waive all or part of the continuing education requirements in the bill upon submission of documentation by a licensee that circumstances beyond his or her control have prevented completion of the requirements. Such circumstances include situations in which: (a) the licensee holds a Nebraska license but does not reside or practice in Nebraska, (b) the licensee has served in the regular U.S. armed forces, (c) the licensee has submitted proof that he or she is suffering from a serious or disabling illness or physical disability which has prevented completion of the required hours of continuing education, (d) the licensee has been initially licensed by the board within the 24 months immediately preceding the license renewal date, and (e) the licensee has successfully completed 2 or more semester hours of formal credit instruction which contributes to meeting the requirements of an advanced degree relating to occupational therapy offered by an accredited school or college.

Senator Jim Jensen, Chairperson